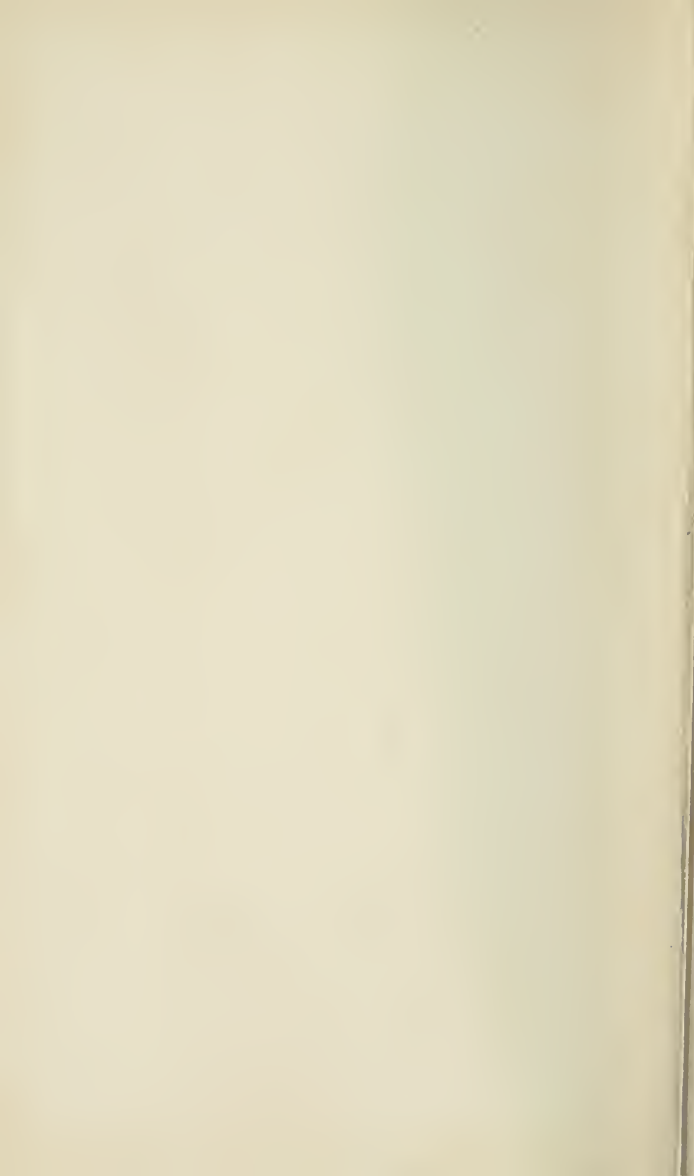


THE
LAW
AND
WYERS
OF
CKWICK

FRANK
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Q.C., M.P.

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MR. SERJEANT BUZFUZ.

The Law
and
Lawyers of Pickwick.

A LECTURE.

With an Original Drawing of "Mr. Serjeant Buzfuz."

BY
FRANK LOCKWOOD,
Q.C. M.P.

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CHARLES DICKENS' HEROINES AND
WOMEN-FOLK :

Some Thoughts Concerning Them.

BY

CHARLES F. RIDEAL.

With an original Drawing of Edith Dombey.

PREFATORY.

AT the request of my friend Lord Russell of Killowen, then Attorney-General, I delivered this lecture at the Morley Hall, Hackney, on December 13th, 1893. I had previously delivered it in the city of York at the request of some of my constituents. I feel that some apology is required for its reproduction in a more permanent form, which apology I most respectfully tender to all who may read this little book.

F. L.



THE
LAW
AND
LAWYERS
OF
PICKWICK.



THE LAW AND LAWYERS OF "PICKWICK."

Sir CHARLES RUSSELL : I stand but for a single instant between you and our friend, Mr. Lockwood. He needs no introduction here ; but I am sure I may in your name bid him a hearty welcome.

Mr. FRANK LOCKWOOD : Mr. Attorney-General, Ladies and Gentlemen—It is some little time ago that I was first asked whether I was prepared to deliver a lecture. Now I am bound at the outset to confess to you that lecturing has been and is very

little in my way. I spent some three years of my life at the University in avoiding lectures. But it came about that in the constituency which I have the honour to represent, it was suggested to me that it was necessary for me to give a lecture, and it was further explained to me that it did not really very much matter as to what I lectured about. I am bound to say there was a very great charm to me in the idea of lecturing my constituents. I know it does sometimes occur that constituents lecture their representatives, especially in Scotland, and I was anxious, if I might, to have an opportunity of lecturing those who had so many opportunities of reading, no doubt very useful lectures to me. But the difficulty was to find a subject. My own profession suggested itself to me

as a fit topic for a lecture, but unfortunately my profession is not a popular one. I do not know how it is, but you never find a lawyer introduced either into a play or into a three-volume novel except for the purpose of exposing him as a scoundrel in the one, and having him kicked in the third act in the other. I do not know how it is, but so it is. All the heroes of fiction either in the drama or in the novel are found in the ranks—no, not in the ranks of the army, but in the officers of the army, or in the clergy. It is so in novels, it is so in dramas; Mr. Attorney-General, I believe it is so in real life.

And so, looking about for a subject, being reminded, as I was, that the subject of the law was unpopular, I turned—as I have often done in the hour of trouble—I turned to my

Dickens, and there I found that at any rate in Dickens we have a great literary man who has been impartial in his treatment of lawyers. He has seen both the good and the bad in them, and it occurred to me that my lecture might take the form of dealing with the lawyers of Dickens. I soon found that was too great a subject to be dealt with within the short space which could be accorded to any reasonable lecturer by any reasonable audience. I found that the novels of Dickens abounded with lawyers, to use a perhaps apt expression. Having regard to my profession, they fairly bristled with them, and so I determined to take the lawyers of one of his books ; and I chose as that book " Pickwick " ; and I chose as my title " The Law and the Lawyers of ' Pickwick.' "

Ladies and gentlemen, it is an extraordinary thing when we look at this book, when we reflect that it contains within its pages no less than three hundred and sixty characters, all drawn vividly and sharply, all expressing different phases of human thought, and of human life, and every one of them original ; when we reflect that that book was written by a young man of twenty-three years of age. In that book I found that he portrayed with life-like fidelity constables, sheriffs' officers, beadles, ushers, clerks, solicitors, barristers, and last, but by no means least, a judge. Every incident of the early life of this great author bore fruit in his writings. No portion of his struggles and experiences seemed to have made a deeper impress on him than did those early days, as he said

himself in the character of David Copperfield :—

If it should appear from anything I may set down in this narrative that I was a child of close observation, or that as a man I have a strong memory of my childhood, I undoubtedly lay claim to both of these characteristics.

His first introduction to the terrors of the law was an unspeakably sad one—sad, indeed, to his affectionate and imaginative nature. “I know,” he writes, “that we got on very badly with the butcher and baker, that very often we had not too much for dinner, and that at last my father was arrested.” He never forgot—how could he, knowing what we know the lad to have been?—often carrying messages to the dismal Marshalsea. “I really believed,” he wrote, “that

they had broken my heart." His first visit to his father he thus describes :—

My father was waiting for me in the lodge, and we went up to his room (on the top story but one), and cried very much. And he told me, I remember, to take warning by the Marshalsea, and to observe that if a man had twenty pounds a year and spent nineteen pounds nineteen shillings and sixpence, he would be happy, but that a shilling spent the other way would make him wretched. I see the fire we sat before now, with two bricks inside the rusted grate, one on each side, to prevent its burning too many coals. Some other debtor shared the room with him, who came in by-and-by ; and as the dinner was a joint stock repast I was sent up to "Captain Porter" in the room overhead, with Mr. Dickens's compliments, and I was his son, and could he, Captain P., lend me a knife and fork ?

Captain Porter lent the knife and fork,

with his compliments in return. There was a very dirty lady in his room, and two wan girls, his daughters, with shock heads of hair. I thought I should not have liked to borrow Captain Porter's comb. The Captain himself was in the last extremity of shabbiness ; and if I could draw at all, I would draw an accurate portrait of the old, old, brown great-coat he wore, with no other coat below it. His whiskers were large. I saw his bed rolled up in a corner ; and what plates, and dishes, and pots he had on a shelf ; and I knew (God knows how !) that the two girls with the shock heads were Captain Porter's natural children, and that the dirty lady was not married to Captain P. My timid, wondering station on his threshold was not occupied more than a couple of minutes, I daresay ; but I came down to the room below with all this as surely in my knowledge as the knife and fork were in my hand.

When the stern necessities of the situation required the detention of Mr. Pickwick in the old Fleet Prison, we have produced a lifelike representation of the debtors' gaol ; and I believe that the reforms which have made such an institution a thing of the past are in a great part owing to the vivid recollection which enabled him to point to the horrors and injustice which were practised in the sacred name of law.

At the age of fifteen we find Dickens a bright, clever-looking youth in the office of Mr. Edward Blackmore, attorney-at-law in Gray's Inn, earning at first 13*s.* 6*d.* a week, afterwards advanced to 15*s.* Eighteen months' experience of this sort enabled him in the pages of *Pickwick* thus to describe lawyers' clerks :—

There are several grades of lawyers'

clerks. There is the articulated clerk, who has paid a premium, and is an attorney in perspective, who runs a tailor's bill, receives invitations to parties, knows a family in Gower Street, and another in Tavistock Square ; who goes out of town every Long Vacation to see his father, who keeps live horses innumerable ; and who is, in short, the very aristocrat of clerks. There is the salaried clerk—out of door, or in door, as the case may be—who devotes the major part of his thirty shillings a week to his personal pleasure and adornment, repairs half-price to the Adelphi Theatre at least three times a week, dissipates majestically at the cider cellars afterwards, and is a dirty caricature of the fashion which expired six months ago. There is the middle-aged copying clerk, with a large family, who is always shabby, and often drunk. And there are the office lads in their first surtouts, who feel a befitting contempt for boys at day-schools ; club as they go home

at night for saveloys and porter : and think there's nothing like "life."

I fancy Dickens never rose above the status of office boy, and probably as such wore his first surtout. We hear of him reporting later in the Lord Chancellor's Court, probably for some daily paper ; but beyond the exception which I shall mention presently, we have no record of his taking an active and direct part in any of those mysterious rites that go to make up our legal procedure.

Upon this question of the opportunities he had for knowing in what way a lawyer is trained, I must here acknowledge the debt of gratitude that I am under to my very good friend Mr. Henry Fielding Dickens, one of her Majesty's Counsel ; and how rejoiced, Mr. Attorney-General, would that father have been had he

been able to see the position which his son has won for himself. He wrote to me a long and kind letter, in which he gave me further information as to his father's opportunity for observing lawyers and their mode of living, and he told me that which I did not know before, and which I think but few people knew before, namely, that his father had kept a term or two at one of the Inns of Court. He had eaten the five or six dinners which is part of the necessary legal education for a barrister; and he had suffered in consequence the usual pangs of indigestion. But it is not to that that I wish to allude to-night. Dickens did that which I venture to think but few have done; for, giving up all idea of pursuing a legal education, and finding that the dinners did not agree with him, he

got back from the Inns of Court some of the money which he had deposited at that Inn. You are all familiar with the process which is known as getting butter out of a dog's mouth ; I venture to think that that is an easy thing compared with getting money back from an Inn of Court.

But that is not all that Mr. Dickens told me. He wrote down for me an experience his father once had with the family solicitor, which, I think, is worth your hearing. "My father's solicitor, Mr. Ouvry," he says, "was a very well-known man, a thorough man of the world, and one in whose breast reposed many of the secrets of the principal families of England. On one occasion my father was in treaty for a piece of land at the back of Gad's Hill, and it was proposed that there should be an interview with the owner,

a farmer, a very acute man of business, and a very hard nut to crack. It was arranged that the interview with him should be at Gad's Hill, and the solicitor came down for the purpose. My father and Ouvry were sitting over their wine when the old man was announced. 'We had better go in to him,' said my father. 'No, no,' said the astute lawyer. 'John,' said he, turning to the butler, 'show him into the study, and take him a bottle of the old port.' Then turning to my father, 'A glass of port will do him good, it will soften him.' After waiting about twenty minutes they went into the study; the farmer was sitting bolt upright in an arm-chair, stern and uncompromising; the bottle of port had not been touched. Negotiations then proceeded very much in favour of the farmer, and a

bargain was struck. The old man then proceeded to turn his attention to the port, and in a very few minutes he had finished the bottle."

Mr. Dickens also told me of his father's knowledge of the legal profession, and of the distinguished members of it. Though not himself, he writes, of the legal profession, my father was very fond of lawyers. He numbered among his intimate friends Lord Denman, Lord Campbell, Mr. Justice Talfourd, Chief Justice Crockford ; in fact, it is difficult to name any eminent lawyer who could not claim acquaintance, at any rate, with our great author. And he tells me, too, an anecdote relating to a distinguished lawyer of the present day—Sir Henry Hawkins. We nearly lost that great man, I think about the year 1851, on the occasion of some theatricals at

Knebworth. The play was *Every Man in his Humour*, and Frank Stone, the artist, father of Mr. Marcus Stone, R.A., was allowed to play a part with a sword. (Those of you who have had any experience of theatrical matters know how dangerous it is to trust a sword to an amateur.) He came up flourishing the sword, and if Mr. Hawkins had not ducked we should have lost that eminent man; but he did it just in time.

Before I introduce you to the types of the judge, the counsel, the solicitors, let me say something to you of the district in which lawyers live, or rather in Dickens's time lived, and still do congregate. From Gray's Inn in the north to the Temple in the south, from New Inn and Clement's Inn in the west to Barnard's Inn in the east.

I once lived myself in Clement's Inn, and heard the chimes go, too ; and I remember one day I sat in my little room very near the sky (I do not know why it is that poverty always gets as near the sky as possible ; but I should think it is because the general idea is that there is more sympathy in heaven than elsewhere), and as I sat there a knock came at the door, and the head of the porter of Clement's Inn presented itself to me. It was the first of January, and he gravely gave me an orange and a lemon. He had a basketful on his arm. I asked for some explanation. The only information forthcoming was that from time immemorial every tenant on New Year's Day was presented with an orange and a lemon, and that I was expected, and that every tenant was expected, to

give half-a-crown to the porter. Further inquiries from the steward gave me this explanation, that in old days when the river was not used merely as a sewer, the fruit was brought up in barges and boats to the steps from below the bridge and carried by porters through the Inn to Clare Market. Toll was at first charged, and this toll was divided among the tenants whose convenience was interfered with ; hence the old lines beginning "Oranges and lemons said the bells of St. Clement's." I have often wondered whether the rest of the old catch had reason as well as rhyme.

Dickens loved the old Inns and squares. Traddles lived in Gray's Inn : Traddles who was in love with "the dearest girl in the world"; Tom Pinch and his sister used to

meet near the fountain in the Middle Temple ; Sir John Chester had rooms in Paper Buildings ; Pip lived in Garden Court at the time of the collapse of Great Expectations ; Mortimer Lightwood and Eugene Wrayburn had their queer domestic partnership in the Temple. The scene of the murderous plot in "Hunted Down" is also laid in the Temple, "at the top of a lonely corner house overlooking the river," probably the end house of King's Bench Walk. Mr. Grewgious, Herbert Pocket, and Joe Gargery are associated with Staple Inn and Barnard's Inn.

Lincoln's Inn has not been forgotten ; for though Mr. Tulkinghorn lived in the Fields, yet Serjeant Snubbin was to be found in Lincoln's Inn Old Square.

I never could understand why

Dickens located the Serjeant in the realms of Equity ; but what should interest us more to-night is the fact that the greater part of "Pickwick" was written in Furnival's Inn, which, as Dickens describes it, was "a shady, quiet place echoing to the footsteps of the stragglers there, and rather monotonous and gloomy on summer evenings."

But to know the Inns as Dickens knew them, let us accompany Mr. Pickwick to the Magpie and Stump in search of Mr. Lowten, Mr. Perker's clerk.

"Is Mr. Lowten here, ma'am?" inquired Mr. Pickwick.

"Yes, he is, sir," replied the landlady. 'Here, Charley, show the gentleman in to Mr. Lowten."

"The gen'lm'n can't go in just now," said a shambling pot-boy, with a red head,

"'cos Mr. Lowten's singin' a comic song, and he'll put him out. He'll be done d'rectly, sir."

Well, you know, respectable solicitors (clerks) don't sing comic songs at public houses nowadays, but that is how Mr. Pickwick found Mr. Lowten.

"Would you like to join us?" said Mr. Lowten, when at length he had finished his comic song and been introduced to Mr. Pickwick. And I am very glad that Mr. Pickwick did join them, as he heard something of the old Inns from old Jack Bamber.

"I have been to-night, gentlemen," said Mr. Pickwick, hoping to start a subject which all the company could take a part in discussing—"I have been to-night in a place which you all know very well, doubtless, but which I have not been in for some years, and know very little of; I mean

Gray's Inn, gentlemen. Curious little nooks in a great place, like London, these old Inns are."

"By Jove!" said the chairman, whispering across the table to Mr. Pickwick, "you have hit upon something that one of us, at least, would talk upon for ever. You'll draw old Jack Bamber out; he was never heard to talk about anything else but the Inns, and he has lived alone in them till he's half crazy."

"Aha!" said the old man, a brief description of whose manner and appearance concluded the last chapter, "aha! who was talking about the Inns?"

"I was, sir," replied Mr. Pickwick; "I was observing what singular old places they are."

"*You!*" said the old man, contemptuously. "What do *you* know of the time when young men shut themselves up in those lonely rooms, and read and read, hour after hour, and night after night, till

their reason wandered beneath their midnight studies ; till their mental powers were exhausted : till morning's light brought no freshness or health to them ; and they sank beneath the unnatural devotion of their youthful energies to their dry old books ? Coming down to a later time, and a very different day, what do *you* know of the gradual sinking beneath consumption, or the quick wasting of fever—the grand results of 'life' and dissipation—which men have undergone in these same rooms ? How many vain pleaders for mercy, do you think, have turned away heart-sick from the lawyer's office, to find a resting-place in the Thames, or a refuge in the gaol ? They are no ordinary houses, those. There is not a panel in the old wainscoting but what, if it were endowed with the powers of speech and memory, could start from the wall and tell its tale of horror—the romance of life, sir, the romance of life ! Common-place as they may seem now, I tell you

they are strange old places, and I would rather hear many a legend with a terrific-sounding name than the true history of one old set of chambers."

There was something so odd in the old man's sudden energy, and the subject which had called it forth, that Mr. Pickwick was prepared with no observation in reply ; and the old man checking his impetuosity, and resuming the leer, which had disappeared during his previous excitement, said,—

"Look at them in another light ; their most common-place and least romantic. What fine places of slow torture they are ! Think of the needy man who has spent his all, beggared himself and pinched his friends to enter the profession, which will never yield him a morsel of bread. The waiting—the hope—the disappointment—the fear—the misery—the poverty—the blight on his hopes and end to his career—the suicide, perhaps, or the shabby, slipshod drunkard. Am I not right about

them?" And the old man rubbed his hands, and leered as if in delight at having found another point of view in which to place his favourite subject.

Mr. Pickwick eyed the old man with great curiosity, and the remainder of the company smiled, and looked on in silence.

"Talk of your German universities," said the little old man. "Pooh! pooh! there's romance enough at home without going half a mile for it; only people never think of it."

"I never thought of the romance of this particular subject before, certainly," said Mr. Pickwick, laughing.

"To be sure you didn't," said the little old man, "of course not. As a friend of mine used to say to me, 'What is there in chambers in particular?' 'Queer old places,' said I. 'Not at all,' said he. 'Lonely,' said I. 'Not a bit of it,' said he. He died one morning of apoplexy, as he was going to open his outer door. Fell

with his head in his own letter-box, and there he lay for eighteen months. Everybody thought he'd gone out of town.

"And how was he found out at last?" inquired Mr. Pickwick.

"The benchers determined to have his door broken open, as he hadn't paid any rent for two years. So they did. Forced the lock; and a very dusty skeleton in a blue coat, black knee-shorts, and silks, fell forward in the arms of the porter who opened the door. Queer, that. Rather, perhaps?" The little old man put his head more on one side, and rubbed his hands with unspeakable glee.

"I know another case," said the little old man, when his chuckles had in some degree subsided. "It occurred in Clifford's Inn. Tenant of a top set—bad character—shut himself up in his bedroom closet, and took a dose of arsenic. The steward thought he had run away; opened the door and put a bill up. Another man

came, took the chambers, furnished them, and went to live there. Somehow or other he couldn't sleep—always restless and uncomfortable. 'Odd,' says he. 'I'll make the other room my bedchamber, and this my sitting-room.' He made the change, and slept very well at night, but suddenly found that, somehow, he couldn't read in the evening; he got nervous and uncomfortable, and used to be always snuffing his candles and staring about him. 'I can't make this out,' said he, when he came home from the play one night, and was drinking a glass of cold grog, with his back to the wall, in order that he mightn't be able to fancy there was any one behind him—'I can't make it out,' said he; and just then his eyes rested on the little closet that had been always locked up, and a shudder ran through his whole frame from top to toe. 'I have felt this strange feeling before,' said he. 'I can't help thinking there's something wrong about that

closet.' He made a strong effort, plucked up his courage, shivered the lock with a blow or two of the poker, opened the door, and there, sure enough, standing bolt upright in the corner, was the last tenant, with a little bottle clasped firmly in his hand, and his face—well!" As the little old man concluded he looked round on the attentive faces of his wondering auditory with a smile of grim delight.

"What strange things these are you tell us of, sir," said Mr. Pickwick, minutely scanning the old man's countenance by the aid of his glasses.

"Strange!" said the little old man. "Nonsense; you think them strange because you know nothing about it. They are funny, but not uncommon."

"Funny!" exclaimed Mr. Pickwick, involuntarily.

"Yes, funny, are they not?" replied the little old man, with a diabolical leer; and

then, without pausing for an answer, he continued,—

“I knew another man—let me see—forty years ago now—who took an old, damp, rotten set of chambers in one of the most ancient Inns, that had been shut up and empty for years and years before. There were lots of old women’s stories about the place, and it certainly was very far from being a cheerful one ; but he was poor, and the rooms were cheap, and that would have been quite a sufficient reason for him, if they had been ten times worse than they really were. He was obliged to take some mouldering fixtures that were on the place, and, among the rest, was a great lumbering wooden press for papers, with large glass doors, and a green curtain inside ; a pretty useless thing for him, for he had no papers to put in it ; and as to his clothes, he carried them about with him, and that wasn’t very hard work either. Well, he had moved in all his furniture—

it wasn't quite a truck-full—and had sprinkled it about the room, so as to make the four chairs look as much like a dozen as possible, and was sitting down before the fire at night, drinking the first glass of two gallons of whisky he had ordered on credit, wondering whether it would ever be paid for, and if so, in how many years' time, when his eyes encountered the glass doors of the wooden press. 'Ah,' says he, 'if I hadn't been obliged to take that ugly article at the old broker's valuation I might have got something comfortable for the money. I'll tell you what it is, old fellow,' he said, speaking aloud to the press, having nothing else to speak to, 'if it wouldn't cost more to break up your old carcase than it would ever be worth afterwards, I'd have a fire out of you in less than no time.' He had hardly spoken the words when a sound, resembling a faint groan, appeared to issue from the interior of the case. It startled him at first, but

thinking, on a moment's reflection, that it must be some young fellow in the next chamber, who had been dining out, he put his feet on the fender, and raised the poker to stir the fire. At that moment the sound was repeated, and one of the glass doors slowly opening disclosed a pale and emaciated figure in soiled and worn apparel standing erect in the press. The figure was tall and thin, and the countenance expressive of care and anxiety; but there was something in the hue of the skin, and gaunt and unearthly appearance of the whole form, which no being of this world was ever seen to wear. 'Who are you?' said the new tenant, turning very pale, poising the poker in his hand, however, and taking a very decent aim at the countenance of the figure. 'Who are you?' 'Don't throw that poker at me,' replied the form. 'If you hurled it with ever so sure an aim, it would pass through me without resistance, and expend its force

on the wood behind. I am a spirit.' 'And, pray, what do you want here?' faltered the tenant. 'In this room,' replied the apparition, 'my worldly ruin was worked, and I and my children beggared. In this press the papers in a long, long suit, which accumulated for years, were deposited. In this room, when I had died of grief and long-deferred hope, two wily harpies divided the wealth for which I had contested during a wretched existence, and of which, at last, not one farthing was left for my unhappy descendants. I terrified them from the spot, and since that day have prowled by night—the only period at which I can re-visit the earth—about the scenes of my long-protracted misery. This apartment is mine; leave it to me.' 'If you insist on making your appearance here,' said the tenant, who had time to collect his presence of mind during this prosy statement of the ghost's, 'I shall give up possession with the greatest

pleasure ; but I should like to ask you one question, if you will allow me.' 'Say on,' said the apparition, sternly. 'Well,' said the tenant, 'I don't apply the observation personally to you, because it is equally applicable to most of the ghosts I ever heard of ; but it does appear to me somewhat inconsistent that when you have an opportunity of visiting the fairest spots of earth—for I suppose space is nothing to you—you should always return exactly to the very places where you have been most miserable.' 'Egad, that's very true ; I never thought of that before,' said the ghost. 'You see, sir,' pursued the tenant, 'this is a very uncomfortable room. From the appearance of that press I should be disposed to say that it is not wholly free from bugs ; and I really think you might find much more comfortable quarters, to say nothing of the climate of London, which is extremely disagreeable.' 'You are very right, sir,' said the ghost, politely ; 'it never

struck me till now ; I'll try a change of air directly.' In fact, he began to vanish as he spoke—his legs, indeed, had quite disappeared. 'And if, sir,' said the tenant, calling after him, 'if you *would* have the goodness to suggest to the other ladies and gentlemen who are now engaged in haunting old empty houses, that they might be much more comfortable elsewhere, you will confer a very great benefit on society.' 'I will,' replied the ghost ; 'we must be dull fellows, very dull fellows indeed ; I can't imagine how we can have been so stupid.' With these words the spirit disappeared ; and what is rather remarkable," added the old man, with a shrewd look round the table, "he never came back again."

But I must not delay longer over where the lawyers live. The lawyers of Dickens furnish me with three types of the practising solicitor or attorney,

each admirable in its way. First, Mr. Perker, whose aid Mr. Wardle seeks to release Miss Rachel Wardle from that scoundrel Jingle. He is described as a little high-dried man, with a dark squeezed-up face, and small restless black eyes, that kept winking and twinkling on each side of his little inquisitive nose, as if they were playing a perpetual game of peep-bo with that feature. He was dressed all in black, with boots as shiny as his eyes, a low white neckcloth, and a clean shirt with a frill to it. A gold watch-chain and seals depended from his fob. He carried his black kid gloves *in* his hands, and not *on* them ; and as he spoke, thrust his wrists beneath his coat-tails, with the air of a man who was in the habit of propounding some regular posers.

He lived at Montague Place, Rus-

sell Square, and had offices in Gray's Inn, and appears to have had a large and very respectable business, into the details of which we have not time to travel ; but perhaps the cleverest piece of business he ever did was when, as Agent to the Honourable Samuel Slumkey, of Slumkey Hall, he brought about the return of that honourable gentleman as Member of Parliament. I suppose we have all read the account of that memorable election, which is a pretty accurate record of what went on at Eatanswill, and I am credibly informed at many other places.

Mr. Pickwick and his companions, in their quest for experience, set out for the excitement of a contested election, and found their way to the agent's room.

“Ah—ah, my dear sir,” said the little

man, advancing to meet him; "very happy to see you, my dear sir, very. Pray sit down. So you have carried your intention into effect. You have come down here to see an election—eh?"

Mr. Pickwick replied in the affirmative.

"Spirited contest, my dear sir," said the little man.

"I'm delighted to hear it," said Mr. Pickwick, rubbing his hands. "I like to see sturdy patriotism, on whatever side it is called forth;—and so it's a spirited contest?"

"Oh, yes," said the little man, "very much so indeed. We have opened all the public-houses in the place, and left our adversary nothing but the beer-shops—masterly stroke of policy that, my dear sir, eh?"

The little man smiled complacently, and took a large pinch of snuff.

"And what are the probabilities as

to the result of the contest?" inquired Mr. Pickwick.

"Why, doubtful, my dear sir; rather doubtful as yet," replied the little man. "Fizkin's people have got three-and-thirty voters in the lock-up coach-house at the White Hart."

"In the coach-house!" said Mr. Pickwick, considerably astonished by this second stroke of policy.

"They keep 'em locked up there till they want 'em," resumed the little man. "The effect of that is, you see, to prevent our getting at them; and even if we could, it would be of no use, for they keep them very drunk on purpose. Smart fellow Fizkin's agent—very smart fellow indeed."

Mr. Pickwick stared, but said nothing.

"We are pretty confident, though," said Mr. Perker, sinking his voice almost to a whisper. "We had a little tea-party here

last night—five-and-forty women, my dear sir—and gave every one of 'em a green parasol when she went away."

"A parasol?" said Mr. Pickwick.

"Fact, my dear sir, fact. Five-and-forty green parasols at seven and sixpence a-piece. All women like finery—extraordinary the effect of those parasols. Secured all their husbands, and half their brothers—beat stockings, and flannel, and all that sort of thing hollow. My idea, my dear sir, entirely. Hail, rain, or sunshine, you can't walk half-a-dozen yards up the street without encountering half-a-dozen green parasols."

On the day of the election the stable yard exhibited unequivocal symptoms of the glory and strength of the Eatanswill Blues. There was a regular army of blue flags, some with one handle, and some with two, exhibiting appropriate devices, in golden characters four feet high, and stout in proportion. There was a grand band of

trumpets, bassoons, and drums, marshalled four abreast, and earning their money, if ever men did, especially the drum beaters, who were very muscular. There were bodies of constables with blue staves, twenty committee men with blue scarves, and a mob of voters with blue cockades. There were electors on horseback and electors on foot. There was an open carriage and four, for the Honourable Samuel Slumkey; and there were four carriages and pair, for his friends and supporters; and the flags were rustling, and the band was playing, and the constables were swearing, and the twenty committee men were squabbling, and the mob were shouting, and the horses were backing, and the post-boys were perspiring; and everybody, and everything, then and there assembled, was for the special use, behoof, honour, and renown, of the Honourable Samuel Slumkey, of Slumkey Hall, one of the candidates for the representation of the Borough of Eatan-

swill, in the Commons House of Parliament of the United Kingdom.

Loud and long were the cheers, and mighty was the rustling of one of the blue flags, with "Liberty of the Press" inscribed thereon, when the sandy head of Mr. Pott was discerned in one of the windows by the mob beneath ; and tremendous was the enthusiasm when the Honourable Samuel Slumkey himself, in top boots, and a blue neckerchief, advanced and seized the hand of the said Pott, and melodramatically testified by gestures to the crowd his ineffaceable obligations to the *Eatanswill Gazette*.

"Is everything ready?" said the Honourable Samuel Slumkey to Mr. Perker.

"Everything, my dear sir," was the little man's reply.

"Nothing has been omitted, I hope?" said the Honourable Samuel Slumkey.

"Nothing has been left undone, my dear sir—nothing whatever. There are

twenty washed men at the street door for you to shake hands with; and six children in arms that you're to pat on the head, and inquire the age of; be particular about the children, my dear sir,—it has always a great effect, that sort of thing."

"I'll take care," said the Honourable Samuel Slumkey.

"And perhaps, my dear sir," said the cautious little man, "perhaps if you *could*—I don't mean to say it's indispensable—but if you *could* manage to kiss one of 'em it would produce a very great impression on the crowd."

"Wouldn't it have as good an effect if the proposer or seconder did that?" said the Honourable Samuel Slumkey.

"Why, I am afraid it wouldn't," replied the agent; "if it were done by yourself, my dear sir, I think it would make you very popular."

"Very well," said the Honourable

Samuel Slumkey, with a resigned air, "then it must be done. That's all."

"Arrange the procession," cried the twenty committee men.

Amidst the cheers of the assembled throng, the band, and the constables, and the committee men, and the voters, and the horsemen, and the carriages took their places—each of the two-horse vehicles being closely packed with as many gentlemen as could manage to stand upright in it; and that assigned to Mr. Perker containing Mr. Pickwick, Mr. Tupman, Mr. Snodgrass, and about half-a-dozen of the committee beside.

There was a moment of awful suspense as the procession waited for the Honourable Samuel Slumkey to step into his carriage. Suddenly the crowd set up a great cheering.

"He has come out," said little Mr. Perker, greatly excited; the more so as their position did not enable them to see what was going forward.

Another cheer, much louder.

"He has shaken hands with the men," cried the little agent.

Another cheer, far more vehement.

"He has patted the babies on the head," said Mr. Perker, trembling with anxiety.

A roar of applause that rent the air.

"He has kissed one of 'em!" exclaimed the delighted little man.

A second roar.

"He has kissed another," gasped the excited manager.

A third roar.

"He's kissing 'em all!" screamed the enthusiastic little gentleman. And hailed by the deafening shouts of the multitude the procession moved on.

Ladies and gentlemen, according to our modern ideas this account does not do much to raise Mr. Perker in our estimation; but the best testimonial to his memory is to be found

in Mr. Pickwick's observation when, being at last free from all his legal difficulties, he proposed to settle up with his lawyer.

"Well, now," said Mr. Pickwick, "let me have a settlement with you."

"Of the same kind as the last?" inquired Perker, with another laugh, for Mr. Pickwick had just been dismissing Messrs. Dodson and Fogg with some strong language indeed.

"Not exactly," said Mr. Pickwick, drawing out his pocket-book, and shaking the little man heartily by the hand; "I only mean a pecuniary settlement. You have done me many acts of kindness that I can never repay, and have no wish to repay, for I prefer continuing the obligation."

With this preface the two friends dived into some very complicated accounts and vouchers, which, having been duly dis-

played and gone through by Perker, were at once discharged by Mr. Pickwick with many professions of esteem and friendship.

Never was bill of costs so pleasantly discharged, though I know many lawyers who have won the friendship and esteem of their clients.

The next type is that of Messrs. Dodson and Fogg, of Freeman's Court, Cornhill. The character of the genial partner is best described by one of his clerks in a conversation overheard by Mr. Pickwick and Sam Weller while waiting for an interview with this celebrated firm.

"There was such a game with Fogg here this morning," said the man in the brown coat, "while Jack was upstairs sorting the papers, and you two were gone to the stamp-office. Fogg was down here

opening the letters when that chap as we issued the writ against at Camberwell, you know, came in—what's his name again ? ”

“ Ramsey,” said the clerk who had spoken to Mr. Pickwick.

“ Ah, Ramsey—a precious seedy-looking customer. ‘ Well, sir,’ says old Fogg, looking at him very fierce—you know his way—‘ well, sir, have you come to settle ? ’ ‘ Yes, I have, sir,’ said Ramsey, putting his hand in his pocket and bringing out the money ; “ the debt’s two pound ten, and the costs three pound five, and here it is, sir,’ and he sighed like bricks as he lugged out the money, done up in a bit of blotting-paper. Old Fogg looked first at the money, and then at him, and then he coughed in his rum way, so that I knew something was coming. ‘ You don’t know there’s a declaration filed, which increases the costs materially, I suppose ? ’ said Fogg. ‘ You don’t say that, sir,’ said Ramsey, starting back ; ‘ the time was only out last night,

sir.' 'I do say it, though,' said Fogg; 'my clerk's just gone to file it. Hasn't Mr. Jackson gone to file that declaration in Bullman and Ramsey, Mr. Wicks?' Of course I said yes, and then Fogg coughed again, and looked at Ramsey. 'My God!' said Ramsey; 'and here have I nearly driven myself mad, scraping this money together, and all to no purpose.' 'None at all,' said Fogg, coolly; 'so you had better go back and scrape some more together, and bring it here in time.' 'I can't get it, by God!' said Ramsey, striking the desk with his fist. 'Don't bully me, sir,' said Fogg, getting into a passion on purpose. 'I am not bullying you, sir,' said Ramsey. 'You are,' said Fogg; 'get out, sir; get out of this office, sir, and come back, sir, when you know how to behave yourself.' Well, Ramsey tried to speak, but Fogg wouldn't let him, so he put the money in his pocket and sneaked out. The door was scarcely shut when

old Fogg turned round to me, with a sweet smile on his face, and drew the declaration out of his coat pocket. 'Here, Wicks,' said Fogg, 'take a cab and go down to the Temple as quick as you can and file that. The costs are quite safe, for he's a steady man with a large family, at a salary of five-and-twenty shillings a week ; and if he gives us a warrant of attorney, as he must in the end, I know his employers will see it paid, so we may as well get all we can out of him, Mr. Wicks ; it's a Christian act to do it, Mr. Wicks, for with his large family and small income he'll be all the better for a good lesson against getting into debt—won't he, Mr. Wicks, won't he ?' and he smiled so good-naturedly as he went away that it was delightful to see him. 'He is a capital man of business,' said Wicks, in a tone of the deepest admiration ; 'capital, isn't he ?' "

Mr. Fogg, we are told, was an elderly, pimply-faced, vegetable diet

sort of man, in a black coat, and dark-mixed trousers ; and Mr. Dodson was a plump, portly, stern-looking man, with a loud voice. And it was from these worthies that Mr. Pickwick had received a letter dated the 28th of August, 1827.

FREEMAN'S COURT, CORNHILL.

Bardell against Pickwick.

SIR,—Having been instructed by Mrs. Martha Bardell to commence an action against you for a breach of promise of marriage, for which the plaintiff lays her damages at fifteen hundred pounds, we beg to inform you that a writ has been issued against you in this suit in the Court of Common Pleas, and request to know, by return of post, the name of your attorney in London, who will accept service thereof.

We are, Sir,

Your obedient servants,

DODSON AND FOGG.

MR. SAMUEL PICKWICK.

I am bound to say that Mr. Pickwick did not conduct himself with his usual dignity on the occasion of his interview on the subject of this letter. The two sharp practitioners had certainly commenced an action against him on grounds which, though definite, were wholly inadequate. But in this alone there was nothing to justify the very violent language of Mr. Pickwick.

"Very well, gentlemen, very well," said Mr. Pickwick, rising in person and wrath at the same time ; "you shall hear from my solicitor, gentlemen."

"We shall be very happy to do so," said Fogg, rubbing his hands.

"Very," said Dodson, opening the door.

"And before I go, gentlemen," said the excited Mr. Pickwick, turning round on the landing, "permit me to say,

that of all the disgraceful and rascally proceedings——”

“Stay, sir, stay,” interposed Dodson, with great politeness. “Mr. Jackson! Mr. Wicks!”

“Sir,” said the two clerks, appearing at the bottom of the stairs.

“I merely want you to hear what this gentleman says,” replied Dodson. “Pray go on, sir—disgraceful and rascally proceedings, I think you said?”

“I did,” said Mr. Pickwick, thoroughly roused. “I said, sir, that of all the disgraceful and rascally proceedings that ever were attempted this is the most so. I repeat it, sir.”

“You hear that, Mr. Wicks?” said Dodson.

“You won’t forget these expressions, Mr. Jackson?” said Fogg.

“Perhaps you would like to call us swindlers, sir,” said Dodson. “Pray do, sir, if you feel disposed; now pray do, sir.”

"I do," said Mr. Pickwick. "You *are* swindlers."

"Very good," said Dodson. "You can hear down there, I hope, Mr. Wicks?"

"Oh, yes, sir," said Wicks.

"You had better come up a step or two higher if you can't," added Mr. Fogg. "Go on, sir ; do go on. You had better call us thieves, sir ; or perhaps you would like to assault one of us. Pray do it, sir, if you would ; we will not make the slightest resistance. Pray do it, sir."

As Fogg put himself very temptingly within the reach of Mr. Pickwick's clenched fist there is little doubt that gentleman would have complied with his earnest entreaty but for the interposition of Sam, who, hearing the dispute, emerged from the office, mounted the stairs, and seized his master by the arm.

"You just come away," said Mr. Weller. "Battledore and shuttlecock's a very good game, when you ain't the

shuttlecock and two lawyers the battle-dores, in which case it gets too excitin' to be pleasant. Come away, sir. If you want to ease your mind by blowing up somebody come out into the court and blow up me ; but it's rayther too expensive work to be carried on here."

With that good advice Mr. Weller took Mr. Pickwick away from the lawyers' office. But before we say anything about the trial itself let me introduce to you another solicitor not so well known as either Perker or Dodson and Fogg, but to my mind the most interesting as he certainly is the most humorous.

Mr. Pell had the honour of being the legal adviser of Mr. Weller, Senior. The latter gentleman always stoutly maintained that if Mr. Pickwick had had the services of Mr. Pell, and had established an *alibi*,

the great case of Bardell against Pickwick would have been decided otherwise. Mr. Pell practised in the Insolvency Court. He "was a fat, flabby, pale man, in a surtout which looked green one moment, and brown the next, with a velvet collar of the same chameleon tints. His forehead was narrow, his face wide, his head large, and his nose all on one side, as if Nature, indignant with the propensities she observed in him at his birth, had given it an angry tweak which it had never recovered. Being short-necked and asthmatic, however, he respired principally through this feature ; so, perhaps, what it wanted in ornament, it made up in usefulness."

Mr. Pell had successfully piloted Mr. Weller through the Insolvency Court, and his services were sought

to carry out the process by which Sam Weller became a voluntary prisoner in the Fleet at the suit of his obdurate parent.

"The late Lord Chancellor, gentlemen, was very fond of me," said Mr. Pell.

"And wery creditable in him, too," interposed Mr. Weller.

"Hear, hear," assented Mr. Pell's client. "Why shouldn't he be?"

"Ah, why, indeed!" said a very red-faced man, who had said nothing yet, and who looked extremely unlikely to say anything more. "Why shouldn't he?"

A murmur of assent ran through the company.

"I remember, gentlemen," said Mr. Pell, "dining with him on one occasion. There was only us two, but everything as splendid as if twenty people had been expected—the great seal on a dumb-waiter at his right, and a man in a bag-wig and

suit of armour guarding the mace with a drawn sword and silk stockings—which is perpetually done, gentlemen, night and day; when he said, ‘Pell,’ he said, ‘no false delicacy, Pell. You’re a man of talent; you can get anybody through the Insolvent Court, Pell; and your country should be proud of you.’ Those were his very words. ‘My lord,’ I said, ‘you flatter me.’ ‘Pell,’ he said, ‘if I do I’m damned.’”

“Did he say that?” inquired Mr. Weller.

“He did,” replied Pell.

“Vell, then,” said Mr. Weller, “I say Parliament ought to ha’ took it up; and if he’d been a poor man they *would* ha’ done it.”

“But, my dear friend,” argued Mr. Pell, “it was in confidence.”

“In what?” said Mr. Weller.

“In confidence.”

“Oh! wery good,” replied Mr. Weller,

after a little reflection. "If he damned hisself in confidence, o' course that was another thing."

"Of course it was," said Mr. Pell. "The distinction's obvious, you will perceive."

"Alters the case entirely," said Mr. Weller. "Go on, sir."

"No, I will not go on, sir," said Mr. Pell, in a low and serious tone. "You have reminded me, sir, that this conversation was private—private and confidential, gentlemen. Gentlemen, I am a professional man. It may be that I am a good deal looked up to in my profession—it may be that I am not. Most people know. I say nothing. Observations have already been made in this room injurious to the reputation of my noble friend. You will excuse me, gentlemen; I was imprudent. I feel that I have no right to mention this matter without his concurrence. Thank you, sir; thank you."

Thus delivering himself, Mr. Pell thrust

his hands into his pockets, and, frowning grimly around, rattled three-halfpence with terrible determination.

We hear also of Mrs. Pell.

Mrs. Pell was a tall figure, a splendid woman, with a noble shape, and a nose, gentlemen, formed to command, gentlemen, and be majestic. She was very much attached to me—very much—highly connected, too. Her mother's brother, gentlemen, failed for eight hundred pounds, as a law stationer.

So we have, ladies and gentlemen, these three types of this honourable profession. To my mind they have never been quite placed in their proper order. Perker has been universally admired and looked up to; Dodson and Fogg have been universally denounced; Mr. Pell has been suffered to remain unnoticed. Well,

let us judge fairly the merits of these three gentlemen.

If Mr. Perker had lived to-day instead of in the year 1827, he would undoubtedly have been tried for the part he took in the Eatanswill election. What is the charge, after all, against Messrs. Dodson and Fogg, except that question with regard to poor Ramsey?—which, after all, is only a story told by the clerk Wicks, upon whom I do not think we can place very much reliance. What else did Dodson and Fogg do that should make them the object of obloquy and universal execration? They brought an action for breach of promise of marriage—some people think such actions should never be brought at all—they brought the action for breach of promise of marriage; they made a little arrangement with regard

to costs, unprofessional if you like, but still nothing to bring down upon them the denouncement to which they have been made subject. So far as Mr. Pickwick was concerned, he had absolutely nothing to complain of in their conduct ; and I venture to say it was most reprehensible in him under the circumstances to use the language which he did upon the occasion which I have quoted. But against Mr. Pell there is absolutely nothing to be said. He perhaps romanced a little with regard to his friendship with the Lord Chancellor ; but which of us would not like to be on friendly terms with the Lord Chancellor ? On that trifling exaggeration there is nothing practically to be urged against him ; and while I claim for Mr. Pell the position of premier in this matter, I am sorry I

have to accord to Mr. Perker the third place.

Well, now, although I would love to linger over Mr. Pell, I must pass on to say something of the counsel mentioned in this admirable work. But before I consider the more eminent and the more conspicuous of these, there is one member of the Bar who is seldom alluded to, but of whom I wish to say something to-night. I refer to Mr. Prosee. Mr. Prosee very few of you have ever heard of. He dined with Mr. Perker at Montague Place, Russell Square, on one occasion. It must have been rather a dull dinner party, for there were present two good country agents, Mr. Snicks, the Life Office Secretary, Mr. Prosee, the eminent counsel, three solicitors, one Commissioner of Bankrupts, a special pleader from the Temple, a

small-eyed, peremptory young gentleman, his pupil, who had written a lively book about the law of demises, with a vast quantity of marginal notes and references ; and several other eminent and distinguished personages, including the Mr. Prosee just mentioned.

Ladies and gentlemen, I do not know how it is, but I have always associated Mr. Prosee with the Equity Bar. It may be that his name suggests it.

Well, I come now to the counsel which is better known to you, namely Serjeant Snubbin.

"We've done everything that's necessary," said Mr. Perker. "I have retained Serjeant Snubbin."

"Is he a good man?" inquired Mr. Pickwick.

"Good man !" replied Perker. "Bless

your heart and soul, my dear sir, Serjeant Snubbin is at the very top of his profession. Gets treble the business of any man in court—engaged in every case. You needn't mention it abroad, but we say—we of the profession—that Serjeant Snubbin leads the court by the nose."

"I should like to see him," said Mr. Pickwick.

"See Serjeant Snubbin, my dear sir!" rejoined Perker, in utter amazement. "Pooh, pooh! my dear sir, impossible! See Serjeant Snubbin! Bless you, my dear sir, such a thing was never heard of without a consultation fee being previously paid, and a consultation fixed. It couldn't be done, my dear sir—it couldn't be done!"

Thus was Mr. Pickwick brought face to face with the difficulty of seeing his own counsel. He could not understand why, having retained

the services of a professional man and paid for them, there should exist any impediment to prevent access to him. I won't discuss to-night the advisability or non-advisability of dividing the profession of the law into two parts, but I do say that any system which prevents litigants having the fullest personal communication with those they have paid to represent them is an anomaly and an absurdity.

But Mr. Pickwick was a person of determination, and he did see Serjeant Snubbin, and he delivered to that learned gentleman a short address that was well worthy of his attention, as it is of every member of the Bar, including your very humble servant.

"Gentlemen of your profession, sir," continued Mr. Pickwick, "see the worst

side of human nature. All its disputes, all its ill-will and bad blood, rise up before you. You know from your experience of juries (I mean no disparagement to you, or them) how much depends upon *effect*; and you are apt to attribute to others a desire to use, for purposes of deception and self-interest, the very instruments which you, in pure honesty and honour of purpose, and with a laudable desire to do your utmost for your client, know the temper and worth of so well, from constantly employing them yourselves. I really believe that to this circumstance may be attributed the vulgar but very general notion of your being, as a body, suspicious, distrustful, and over-cautious. Conscious as I am, sir, of the disadvantage of making such a declaration to you, under such circumstances, I have come here, because I wish you distinctly to understand, as my friend Mr. Perker has said, that I am innocent of the falsehood laid to my charge; and although I

am very well aware of the inestimable value of your assistance, sir, I must beg to add that, unless you sincerely believe this, I would rather be deprived of the aid of your talents than have the advantage of them."

The only effect this had upon Serjeant Snubbin was to cause him to ask rather snappishly,—

"Who is with me in this case?"

"Mr. Phunky, Serjeant Snubbin," replied the attorney.

"Phunky, Phunky," said the Serjeant, "I never heard the name before. He must be a very young man."

"Yes, he is a very young man," replied the attorney. "He was only called the other day. Let me see—he has not been at the Bar eight years yet."

"Ah, I thought not," said the Serjeant, in that sort of pitying tone in which ordinary folks would speak of a very helpless little child. "Mr. Mallard, send round to Mr.—Mr.——"

“Phunky’s — Holborn Court, Gray’s Inn,” interposed Perker. (Holborn Court, by-the-bye, is South Square now.)

“Mr. Phunky, and say I should be glad if he’d step here a moment.”

Mr. Mallard departed to execute his commission, and Serjeant Snubbin relapsed into abstraction until Mr. Phunky himself was introduced.

Although an infant barrister he was a full-grown man. He had a very nervous manner, and a painful hesitation in his speech ; it did not appear to be a natural defect, but seemed rather the result of timidity, arising from the consciousness of being “kept down” by want of means, or interest, or connection, or impudence, as the case might be. He was overawed by the Serjeant, and profoundly courteous to the attorney.

“I have not had the pleasure of seeing you before, Mr. Phunky,” said Serjeant Snubbin, with haughty condescension.

Mr. Phunky bowed. He *had* had the pleasure of seeing the Serjeant, and of envying him too, with all a poor man's envy, for eight years and a quarter.

"You are with me in this case, I understand?" said the Serjeant.

If Mr. Phunky had been a rich man he would have instantly sent for his clerk to remind him; if he had been a wise one he would have applied his forefinger to his forehead, and endeavoured to recollect whether, in the multiplicity of his engagements, he had undertaken this one or not; but as he was neither rich nor wise (in this sense, at all events) he turned red and bowed.

"Have you read the papers, Mr. Phunky?" inquired the Serjeant.

Here again Mr. Phunky should have professed to have forgotten all about the merits of the case; but as he had read such papers as had been laid before him in the course of the action, and had thought

of nothing else, waking or sleeping, throughout the two months during which he had been retained as Mr. Serjeant Snubbin's junior, he turned a deeper red and bowed again.

"This is Mr. Pickwick," said the Serjeant, waving his pen in the direction in which that gentleman was standing.

Mr. Phunky bowed to Mr. Pickwick with a reverence which a first client must ever awaken, and again inclined his head towards his leader.

"Perhaps you will take Mr. Pickwick away," said the Serjeant, "and—and—and—hear anything Mr. Pickwick may wish to communicate. We shall have a consultation, of course." With this hint that he had been interrupted quite long enough, Mr. Serjeant Snubbin, who had been gradually growing more and more abstracted, applied his glass to his eye for an instant, bowed slightly round, and was once more deeply immersed in the case

before him, which arose out of an interminable law-suit originating in the act of an individual, deceased a century or so ago, who had stopped up a pathway leading from some place which nobody ever came from to some other place which nobody ever went to.

Mr. Phunky would not hear of passing through any door until Mr. Pickwick and his solicitor had passed through before him, so it was some time before they got into the Square ; and when they did reach it they walked up and down, and held a long conference, the result of which was that it was a very difficult matter to say how the verdict would go ; that nobody could presume to calculate on the issue of an action ; that it was very lucky they had prevented the other party from getting Serjeant Snubbin ; and other topics of doubt and consolation common in such a position of affairs.

Mr. Pickwick's lawsuit was to be

tried in the Court of Common Pleas, a division in which Serjeants-at-Law had the exclusive right to practise. At this time, 1827, and indeed up till 1873, every common law judge was turned into a Serjeant, if he were not one ere he was promoted to the Bench. It was a solemn kind of ceremony. The subject of the operation was led out of the precincts of the Inns of Court; the church bell tolled as for one dead.

He was then admitted member of Serjeants' Inn; and the judge would address the serjeants who practised before him as Brother So-and-So. Justice Lindley was the last judge who took the degree, a degree the only outward visible sign of which is the black patch or coif which is attached to the top of the wig. I do not know what kind of counsel

Serjeant Snubbin, retained by Mr. Perker for the defendant, was ; but Dodson and Fogg had retained Serjeant Buzfuz for the plaintiff, and we all know that Serjeant Snubbin was no match for Serjeant Buzfuz. It has been objected by a writer in *Fraser's Magazine*, to the account of this trial, that it is full of inconsistencies. Serjeant Buzfuz' case, he says, was absurd, and that he would not have been able to brow-beat any witness, and that no jury could have given a verdict on such evidence. This criticism resembles many other criticisms of Pickwick. Had the description in Pickwick been intended as a serious picture of the proceedings in a court of justice, it would have been open to much serious dissection and examination.

But the writer just quoted did not,

it seems, possess a sufficient sense of humour to enable him to see that this chapter of "Pickwick" was intended for broad fun amounting to burlesque, and nothing more ; and to examine Mr. Buzfuz' proceedings by the light of the law is to strip them of their meaning.

I mentioned just now that this trial took place in 1827. At that time, as I daresay some of you are aware, the parties to the action could not be called upon to give evidence ; and Lord Denman did not, I think, till 1843 remove the Arcadian fetters which bound the litigants in this fashion. But, ladies and gentlemen, what a fortunate thing it was for Mr. Pickwick that he could not be called upon that occasion. If Mr. Pickwick had been called he would have been cross-examined. Let us imagine for

a moment what that cross-examination would have been. Suppose merely for the sake of example that that operation had been performed by my honourable and learned friend the Attorney-General. Cannot you imagine how in the first place he would forcibly but firmly have interrogated Mr. Pickwick with regard to his conduct after the cricket match at Muggleton ; how he would have asked him whether he was prepared to admit, or whether he was prepared to deny, that he was drunk upon that occasion ? Could you not imagine how my honourable and learned friend, passing on from that topic, would have alluded to what I think he would have termed the disgraceful incident when, on the 1st of September, Mr. Pickwick was found in a wheelbarrow on the ground of Captain Boldwig,

and was removed to the public pound, from which he was only extricated by the violence of his friends and servant? Passing on from that topic, would not my honourable and learned friend have reminded him of how he had been bound over at Ipswich before Mr. Nupkins, together with his friend Mr. Tupman, and called upon to find bail for good behaviour for six months? Then in conclusion how my friend would have turned to that incident in the double-bedded room at Ipswich, at the Great White Horse, and how my learned friend, with that skill which he possesses, would, bit by bit, by slow degrees, have extricated from that miserable man the confession that he had been found in that double-bedded room, a spinster lady being there at the same time. Ladies and gentlemen, what would have been

left of Mr. Pickwick after that process had been gone through? His only relief would have been to write to the *Times* newspaper, and to complain of cross-examination.

Indeed, no notice of this case, as indeed no reference to the lawyers of "Pickwick," would be regarded as in any sense complete that did not include the remarkable forensic efforts of Serjeant Buzfuz. Oft read, oft recited, oft quoted, it stands to-day, perhaps, the best-known speech ever delivered at the Bar.

We are told that the speech of Serjeant Snubbin was long and emphatic, but at any rate it was ineffective, and that learned gentleman committed a grave error in entrusting the cross-examination of Mr. Winkle to Mr. Phunky. Now it does sometimes happen, in the course of a case, that

owing to the absence of the leading counsel, which sometimes occurs, the cross-examination of a witness, perchance an important one, is left to some junior ; but this excuse did not exist in this case. Serjeant Snubbin was there in Court, because we hear that he winked at Mr. Phunky to intimate to him that he had better sit down ; and this, as we know, from what I have told you just now, was the first brief that Mr. Phunky had ever had. No, Serjeant Snubbin was over-matched throughout by Serjeant Buzfuz, and Mr. Phunky was no match even for the scheming junior on the other side, and Perker was no match for Dodson and Fogg. The law, as we are told in one of George Eliot's books, is a kind of cock-fight, in which it is the business of injured honesty to get a game bird with the

best pluck and the strongest spurs ; and I venture to think that the combined pluck of Buzfuz and Skimpin by far outweighed any of that commodity possessed by Snubbin and Phunky. No wonder Mr. Pickwick lost his case ; but his case never recovered the effect of the speech which I now propose to read to you.

Serjeant Buzfuz began by saying that never, in the whole course of his professional experience—never, from the very first moment of his applying himself to the study and practice of the law—had he approached a case with feelings of such deep emotion, or with such a heavy sense of the responsibility imposed upon him—a responsibility, he would say, which he could never have supported, were he not buoyed up and sustained by a conviction so strong, that it amounted to positive certainty that

the cause of truth and justice, or, in other words, the cause of his much injured and most oppressed client, must prevail with the high-minded and intelligent dozen of men whom he now saw in that box before him.

Counsel usually begin in this way, because it puts the jury on the very best terms with themselves, and makes them think what sharp fellows they must be. A visible effect was produced immediately; several jurymen beginning to take voluminous notes with the utmost eagerness.

“You have heard from my learned friend, gentlemen,” continued Serjeant Buzfuz—well knowing that, from the learned friend alluded to, the gentlemen of the jury had heard just nothing at all—“you have heard from my learned friend, gentlemen, that this is an action for breach of promise of marriage, in which the damages are laid at £1,500. But you have not heard from my learned friend, inasmuch as it did not

come within my learned friend's province to tell you, what are the facts and circumstances of the case. Those facts and circumstances, gentlemen, you shall hear detailed by me, and proved by the unimpeachable female whom I will place in that box before you."

Here Mr. Serjeant Buzfuz, with a tremendous emphasis on the word "box," smote his table with a mighty sound, and glanced at Dodson and Fogg, who nodded admiration to the Serjeant, and indignant defiance of the defendant.

"The plaintiff, gentlemen," continued Serjeant Buzfuz, in a soft and melancholy voice, "the plaintiff is a widow; yes, gentlemen, a widow. The late Mr. Bardell, after enjoying, for many years, the esteem and confidence of his sovereign, as one of the guardians of his royal revenues, glided almost imperceptibly from the world, to seek elsewhere for that repose and peace which a custom house can never afford."

At this pathetic description of the decease of Mr. Bardell, who had been knocked on the head with a quart pot in a public-house cellar, the learned Serjeant's voice faltered, and he proceeded with emotion,—

“Some time before his death he had stamped his likeness upon a little boy. With this little boy, the only pledge of her departed exciseman, Mrs. Bardell shrunk from the world, and courted the retirement and tranquillity of Goswell Street; and here she placed in her front parlour-window a written placard, bearing this inscription—‘Apartments furnished for a single gentleman. Inquire within.’” Here Serjeant Buzfuz paused, while several gentlemen of the jury took a note of the document.

“There is no date to that, is there?” inquired a juror.

“There is no date, gentlemen,” replied Serjeant Buzfuz; “but I am instructed to say that it was put in the plaintiff's parlour-window just this time three years. *I*

entreat the attention of the jury to the wording of this document. 'Apartments furnished for a single gentleman!' Mrs. Bardell's opinions of the opposite sex, gentlemen, were derived from a long contemplation of the inestimable qualities of her lost husband. She had no fear, she had no distrust, she had no suspicion, all was confidence and reliance. 'Mr. Bardell,' said the widow, 'Mr. Bardell was a man of honour, Mr. Bardell was a man of his word, Mr. Bardell was no deceiver, Mr. Bardell was once a single gentleman himself; *to* single gentlemen I look for protection, for assistance, for comfort, and for consolation; *in* single gentlemen I shall perpetually see something to remind me of what Mr. Bardell was when he first won my young and untried affections: to a single gentleman, then, shall my lodgings be let.' Actuated by this beautiful and touching impulse (among the best impulses of our imperfect nature, gentlemen)

the lonely and desolate widow dried her tears, furnished her first floor, caught the innocent boy to her maternal bosom, and put the bill up in her parlour-window. Did it remain there long? No. The serpent was on the watch, the train was laid, the mine was preparing, the sapper and miner was at work. Before the bill had been in the parlour-window three days—three days, gentlemen—a Being, erect upon two legs, and bearing all the outward semblance of a man, and not of a monster, knocked at the door of Mrs. Bardell's house. He inquired within—he took the lodgings; and on the very next day he entered into possession of them. The man was Pickwick—Pickwick, the defendant.”

Serjeant Buzfuz, who had proceeded with such volubility that his face was perfectly crimson, here paused for breath. The silence awoke Mr. Justice Stareleigh, who immediately wrote down something with

a pen without any ink in it, and looked unusually profound, to impress the jury with the belief that he always thought most deeply with his eyes shut. Serjeant Buzfuz proceeded.

"Of this man Pickwick I will say little ; the subject presents but few attractions ; and I, gentlemen, am not the man, nor are you, gentlemen, the men, to delight in the contemplation of revolting heartlessness and of systematic villainy."

Here Mr. Pickwick, who had been writhing in silence for some time, gave a violent start, as if some vague idea of assaulting Serjeant Buzfuz, in the august presence of justice and law, suggested itself to his mind. An admonitory gesture from Perker restrained him, and he listened to the learned gentleman's continuation with a look of indignation, which contrasted forcibly with the admiring faces of Mrs. Cluppins and Mrs. Sanders.

"I say systematic villainy, gentlemen,"

said Serjeant Buzfuz, looking through Mr. Pickwick, and talking *at* him ; “and when I say systematic villainy, let me tell the defendant Pickwick, if he be in Court—as I am informed he is—that it would have been more decent in him, more becoming, in better judgment, and in better taste, if he had stopped away. Let me tell him, gentlemen, that any gestures of dissent or disapprobation in which he may indulge in this Court will not go down with you ; that you will know how to value and how to appreciate them ; and let me tell him further, as my lord will tell you, gentlemen, that a counsel, in the discharge of his duty to his client, is neither to be intimidated, nor bullied, nor put down ; and that any attempt to do either the one or the other, or the first, or the last, will recoil on the head of the attempter, be he plaintiff or be he defendant, be his name Pickwick, or Noakes, or Stoakes, or Stiles, or Brown, or Thompson.”

This little divergence from the subject in hand had, of course, the intended effect of turning all eyes to Mr. Pickwick. Serjeant Buzfuz, having partially recovered from the state of moral elevation into which he had lashed himself, resumed,—

“I shall show you, gentlemen, that for two years Pickwick continued to reside constantly, and without interruption or intermission, at Mrs. Bardell’s house. I shall show you that Mrs. Bardell, during the whole of that time, waited on him, attended to his comforts, cooked his meals, looked out his linen for the washerwoman when it went abroad, darned, aired, and prepared it for wear, and, in short, enjoyed his fullest trust and confidence. I shall show you that, on many occasions, he gave halfpence, and on some occasions even sixpences, to her little boy; and I shall prove to you, by a witness whose testimony it will be impossible for my

learned friend to weaken or controvert, that on one occasion he patted the boy on the head, and, after inquiring whether he had won any *alley tors* or *commoneys* lately (both of which I understand to be a particular species of marbles much prized by the youth of this town), made use of this remarkable expression : ‘ How should you like to have another father ? ’ I shall prove to you, gentlemen, that about a year ago Pickwick suddenly began to absent himself from home during long intervals, as with the intention of gradually breaking off from my client ; but I shall show you also that his resolution was not at that time sufficiently strong, or that his better feelings conquered, if better feelings he has, or that the charms and accomplishments of my client prevailed against his unmanly intentions ; by proving to you that on one occasion, when he returned from the country, he distinctly and in terms offered her marriage ; previously,

however, taking special care that there should be no witnesses to their solemn contract ; and I am in a situation to prove to you, on the testimony of three of his own friends—most unwilling witnesses, gentlemen—most unwilling witnesses—that on that morning he was discovered by them holding the plaintiff in his arms, and soothing her agitation by his caresses and endearment."

A visible impression was produced upon the auditors by this part of the learned Serjeant's address. Drawing forth two very small scraps of paper, he proceeded,—

"And now, gentlemen, but one word more. Two letters have passed between these parties, letters which are admitted to be in the handwriting of the defendant, and which speak volumes indeed. These letters, too, bespeak the character of the man. They are not open, fervent, eloquent epistles, breathing nothing but the language

of affectionate attachment. They are covert, sly, underhanded communications ; but, fortunately, far more conclusive than if couched in the most glowing language and the most poetic imagery—letters that must be viewed with a cautious and suspicious eye—letters that were evidently intended at the time, by Pickwick, to mislead and delude any third parties into whose hands they might fall. Let me read the first:—‘Garraway’s, twelve o’clock. Dear Mrs. B.—Chops and Tomato sauce ; Yours, PICKWICK.’ Gentlemen, what does this mean? Chops and Tomato sauce Yours, PICKWICK ! Chops ! Gracious heavens ! and Tomato sauce ! Gentlemen, is the happiness of a sensitive and confiding female to be trifled away by such shallow artifices as these ? The next has no date whatever, which is in itself suspicious. ‘Dear Mrs. B., I shall not be at home till to-morrow. Slow coach.’ And then follows this very remarkable

expression : 'Don't trouble yourself about the warming-pan.' The warming-pan ! Why, gentlemen, who *does* trouble himself about a warming-pan ? When was the peace of mind of man or woman broken or disturbed by a warming-pan, which is in itself a harmless, a useful, and I will add, gentlemen, a comfortable article of domestic furniture ? Why is Mrs. Bardell so earnestly entreated not to agitate herself about this warming-pan, unless (as is no doubt the case) it is a mere cover for hidden fire—a mere substitute for some endearing word or promise, agreeably to a preconcerted system of correspondence, artfully contrived by Pickwick with a view to his contemplated desertion, and which I am not in a condition to explain ! And what does this allusion to the slow coach mean ? For aught I know, it may be a reference to Pickwick himself, who has most unquestionably been a criminally slow coach during the whole of this

transaction, but whose speed will now be very unexpectedly accelerated, and whose wheels, gentlemen, as he will find to his cost, will very soon be greased by you !”

Mr. Serjeant Buzfuz paused in this place to see whether the jury smiled at his joke ; but as nobody took it but the greengrocer, whose sensitiveness on the subject was very probably occasioned by his having subjected a chaise cart to the process in question on that identical morning, the learned Serjeant considered it advisable to undergo a slight relapse into the dismal before he concluded.

“But enough of this, gentlemen,” said Mr. Serjeant Buzfuz, “it is difficult to smile with an aching heart ; it is ill jesting when our deepest sympathies are awakened. My client’s hopes and prospects are ruined, and it is no figure of speech to say that her occupation is gone indeed. The bill is

down—but there is no tenant. Eligible single gentlemen pass and repass—but there is no invitation for them to inquire within or without. All is gloom and silence in the house ; even the voice of the child is hushed—his infant sports are disregarded when his mother weeps ; his ‘alley tors’ and his ‘commoneys’ are alike neglected ; he forgets the long familiar cry of ‘knuckle down,’ and at tip-cheese, or odd or even, his hand is out. But Pickwick, gentlemen, Pickwick, the ruthless destroyer of this domestic oasis in the desert of Goswell Street—Pickwick, who has choked up the well and thrown ashes on the sward—Pickwick, who comes before you to-day with his heartless tomato sauce and warming-pans—Pickwick still rears his head with unblushing effrontery, and gazes without a sigh on the ruin he has made. Damages, gentlemen—heavy damages—is the only punishment with which you can visit him ; the only recom-

pense you can award to my client. And for those damages she now appeals to an enlightened, a high-minded, a right-feeling, a conscientious, a dispassionate, a sympathising, a contemplative jury of her civilised countrymen."

With this beautiful peroration, Mr. Serjeant Buzfuz sat down, and Mr. Justice Stareleigh woke up.

Of the judge of this famous case we hear but little. He went to sleep, and he woke up again, and he tried to look as though he hadn't been asleep; in fact, he behaved very much as judges do.

Mr. Justice Stareleigh summed up in the old-established and most approved form. He read as much of his notes to the jury as he could decipher on so short a notice, and made running comments on the evidence as he went along. If Mrs. Bardell

were right, it was perfectly clear that Mr. Pickwick was wrong ; and if they thought the evidence of Mrs. Cluppins worthy of credence they would believe it, and, if they didn't, why they wouldn't. If they were satisfied that a breach of promise of marriage had been committed, they would find for the plaintiff, with such damages as they thought proper ; and if, on the other hand, it appeared to them that no promise of marriage had ever been given, they would find for the defendant, with no damages at all.

So, ladies and gentlemen, in conclusion, let me point out to you how all these types and instances of lawyers and lawyer life have received fair and impartial consideration from Charles Dickens, for which I, at any rate, am grateful. The public, however, to my mind, owe a deeper debt of gratitude to the

man who, by his wit, his courage, and his industry, has brought about reforms in our legal administration for which all litigants and honourable practitioners should alike be grateful.

Sir CHARLES RUSSELL: Ladies and gentlemen,—We have spent, I am sure you will all think, a most enjoyable, as well as a most instructive evening, thanks to the vivid picture of the great novelist of our generation put before us by my friend Mr. Lockwood, who has pointed out with force and effect the serious obligation we are under for many reforms which exist in our day through the influence, sometimes serious, sometimes comic, which the great Charles Dickens gave to the world. It is an interesting occasion, and not the less interesting when you are informed that in

this room to-night is the son of Mr. Charles Dickens—Mr. Henry Fielding Dickens—referred to by my friend Mr. Lockwood. Mr. Henry Dickens has not followed in his father's footsteps ; he has chosen for himself the profession of the bar ; and in that profession he has gained for himself a high and honourable name. At this hour I cannot permit myself to say more than to ask you to join in the vote of thanks which I now move to my friend Mr. Lockwood for the very admirable lecture which he has just given.

Vote of thanks seconded by MR. HILLIARD.

MR. HENRY FIELDING DICKENS: Sir Charles Russell, ladies and gentlemen,—I assure you that when I came into this room to-night I had no more idea that I was to make any observa-

tions than—the man in the moon. I came here with the idea of listening to my old friend Mr. Frank Lockwood, with the sure and certain knowledge that I should derive a great deal of amusement and interest from his lecture. In that I need hardly say I have not been disappointed ; but I assure you, ladies and gentlemen, that I have not only been interested, I have been touched. I am not alluding to the very graceful allusions and far too flattering observation upon myself given by the Attorney-General, but I am alluding to the spirit pervading this hall this evening—a spirit which proves to me that the memory of my father is still green among you all. To us who have the honour of bearing his name, that memory, I need hardly tell you, is still sacred ; and to

find that among his fellow-countrymen, though twenty-three years have passed since his death, there is still that feeling of affection felt for him that was felt for him in his lifetime, is most gratifying to us all. I assure you with all the warmth in my heart, and in the name of my sister and other members of the family, that I thank you most sincerely, not only for your generous reception of myself, but for the feeling you have demonstrated that you bear for my dear father.

Mr. FRANK LOCKWOOD: Sir Charles Russell, ladies and gentlemen,—I shall only detain you to say that I thank you for your great kindness to me to-night; it has been a pleasure to me to come. I was to have come, if I remember rightly, in June or July, 1892; I could not come

because there was a General Election. I am very glad that I was not prevented from coming to-night by a—General Election.

THE END.

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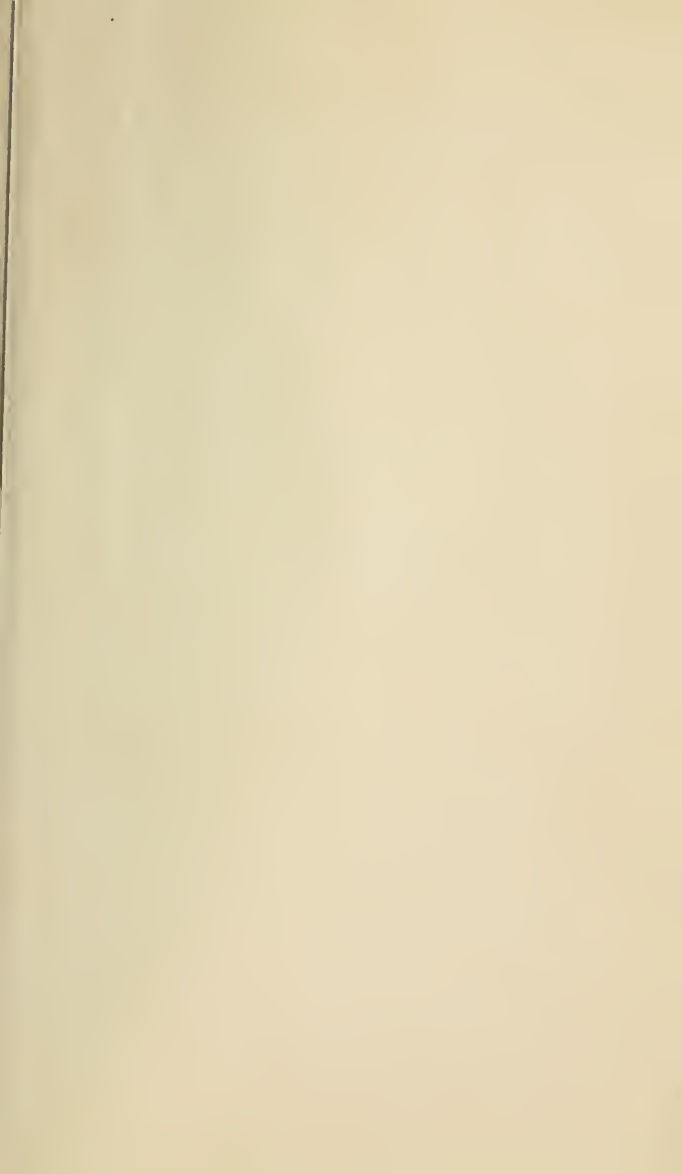
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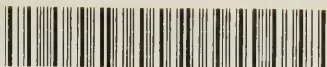
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